



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IGT,

Plaintiff,

-against-

HIGH 5 GAMES, LLC,

Defendant.

17-CV-9792 (ALC) (BCM)

IGT,

Plaintiff,

-against-

HIGH 5 GAMES, LLC,

Defendant.

19-CV-5752 (ALC) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

For the reasons stated on the record during the telephonic discovery conference on March 23, 2021, the parties' discovery disputes outlined in their joint letter dated March 16, 2021 (Dkt. No. 233 in Case No. 17-CV-9792 and Dkt. No. 91 in Case No. 19-CV-5752) are resolved as follows:

1. Substantial Completion of Written Discovery

The Court will not impose a deadline for substantial completion of written discovery at this time.

2. IGT Request for Production (RFP) No. 82

The request as written is overbroad. The parties shall meet and confer – cooperating on an iterative basis – to develop a set of custodians and search term protocols to extract relevant emails more efficiently.

3. Privilege Logs

The parties shall exchange privilege logs, in accordance with Local Civil Rule 26.2, no later than **April 15, 2021**. Exempted from the logs are privileged communications to and from, and work product prepared by, the parties' counsel of record in these actions on or after December 14, 2017 (the date the first action was filed). The parties may agree upon a longer period for the counsel-of-record exemption, and/or other exemptions.

4. **Protective Order**

No later than **April 8, 2021**, the parties shall either submit (1) a revised two-tier protective order agreed upon by both parties, or (2) if the parties cannot agree, two versions of the proposed protective order, with a redline comparing them, as well as a letter (no longer than two pages single-spaced) from each party concerning the differences.

5. **The DoubleDown and DoubleU License Agreements; H5G RFPs 31-35**

IGT need not produce the *redacted* form of its agreement with third-party DoubleDown since that version has been made public. IGT shall produce the *unredacted* DoubleDown and DoubleU agreements, as well as the remaining documents requested in H5G RFP Nos. 31-35, pursuant to the terms of the approved two-tier protective order.

6. **Other H5G RFPs**

IGT need not produce documents in response to H5G RFP No. 16; H5G Second Set of RFP Nos. 1-5, 14, and 15; or H5G Fourth Set of RFP Nos. 1, 2, 5, 26, and 27. In response to H5G Second Set of RFP No. 15, IGT shall amend its response to confirm that it has no responsive documents. IGT shall promptly produce documents responsive to H5G RFP Nos. 29, 30, and 45, limited to documents dated on or after the effective date of the Settlement Agreement. IGT shall also produce documents responsive to H5G Second Set of RFP No. 44 and H5G Fourth Set of RFP Nos. 3, 4, and 7. IGT has withdrawn its request for a protective order as to H5G's Second Set of RFP Nos. 9-11, without prejudice to requesting relief after the parties further meet and confer.

7. **IGT Interrogatories 1-7**

H5G need not respond to IGT Interrogatories 1-7 served on September 23, 2020.

8. **Extension of Deadlines**

The deadline to amend the pleadings or join additional parties is EXTENDED to **May 27, 2021**. The deadline to complete depositions is EXTENDED to **September 10, 2021**. The deadline to complete all fact discovery is EXTENDED to **October 1, 2021**.

9. **Further Status Conference**

The Court will conduct a telephonic status conference on **April 27, 2021, at 11:00 a.m.** At that time, the parties shall dial (888) 557-8511 and enter the access code 7746387. No later than **April 22, 2021**, the parties shall submit a joint letter (no longer than 4 pages single-spaced) updating the Court on the status of discovery and any new or remaining discovery disputes.

Dated: New York, New York
March 25, 2021

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge